

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY PLANNING COMMISSION SUMMARY OF REGULARLY SCHEDULED MEETING

Jennifer Casey
Chairwoman

Sarah Lansdale, AICP
Director of Planning

Date: March 4, 2020
Time: 2:00 p.m.
Location: Rose Caracappa Auditorium
W.H. Rogers Legislature Building, North County Complex
725 Memorial Highway, Smithtown, New York 11787

Members Present (9)

Michael Kelly – Town of Brookhaven
Jennifer Casey – Town of Huntington
John Finn – Town of Smithtown
Thomas McCarthy – Town of Southold
Adrienne Esposito – Villages Over 5,000
Michael Kaufman – Villages Under 5,000
Kevin Gershowitz – At Large
Errol Kitt – At Large
Rodney Anderson – At Large

Members Not Present (4)

Samuel Chu – Town of Babylon
Matthew Chartrand – Town of Islip
John Condzella – Town of Riverhead
Nicholas Morehead – Town of Shelter Island

Staff Present (5)

Sarah Lansdale – Director of Planning
Andrew Freleng – Chief Planner
Ted Klein – Principal Planner
John Corral – Senior Planner
Christine DeSalvo – Principal Office Assistant
Brittany Toledano – Assistant County Attorney (Counsel to the Commission)

Call to Order - The Suffolk County Planning Commission meeting of March 4, 2020 was called to order by Chairwoman Jennifer Casey at 2:05 p.m.

The Pledge of Allegiance

Guest Speaker (taken out of order) –

- 1) Village of Patchogue Mayor, Hon. Paul Pontieri, spoke to the Commission and answered some questions regarding the Village of Patchogue's Moratorium application on the agenda, as well as some other Village issues.
- 2) Village of Patchogue Deputy Mayor, Jack Krieger, also spoke to the Commission and briefly answered some questions regarding the Village of Patchogue's Moratorium application on the agenda.
- 3) Beth Reilly, Commission of Planning and Environment for the Town of Brookhaven; introduced herself to the Commission and gave a presentation to the Commission on the Town of Brookhaven's proposed "Local Law Amending Chapter 85 of the Town Zoning Code" that is on the agenda', and then answered questions from commission members.

Public Portion – There were three members of the public that spoke to the Commission about the referrals on the agenda.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code

- **Village of Patchogue proposes a "Moratorium on restaurants, bars, taverns, nightclubs, and cabarets"** located in the Incorporated Village of Patchogue, Town of Brookhaven; referred by the Incorporated Village of Patchogue Board of Trustees, received on January 31, 2020 - the Commission's jurisdiction for review is that the application is a zoning action, amendment to a local law and/or a moratorium. The subject referral is for amending Chapter 435 of the Village of Patchogue Zoning Law to amend Section 435-14.1 to establish an eighteen (18) month (540 day) moratorium on the "construction and development of restaurants, bars, taverns, nightclubs and cabarets in the D-2 and D-3 Business Districts and the Downtown Redevelopment District".

The staff report recommended approval of the eighteen (18) month (540 day) moratorium on construction and development of restaurants, bars, taverns, nightclubs and cabarets in the D-2 and D-3 Business Districts and the Downtown Redevelopment District subject to two (2) conditions, while offering three (3) comments for their consideration and use by the Village of Patchogue. After deliberation the Commission resolved to generally agree with the staff report and approve the moratorium subject to one (1) condition and with five (5) comments for the consideration and use by the Village of Patchogue.

The motion to approve the moratorium subject to the one (1) condition and with the five (5) comments for their consideration and use by the Village of Patchogue was made by Commission member Esposito and seconded by Commission member Finn, vote to Approve; 8 ayes, 1 nays (Kaufman), 0 abstentions.

Section A14-14 thru A14-25 of the Suffolk County Administrative Code (continued)

- **East Patchogue Incentive Overlay District;** referred by the Town of Brookhaven, received on February 6, 2020 – the Commission's jurisdiction for review is that the application is a zoning code/comprehensive plan amendment to a local law. The application is regarding a Town's own motion for an amendment to Chapter 85 of the Town of Brookhaven Zoning Code and to enact a local law that is intended to create and implement the overlay district consistent with the recommendations of the "Revitalization Plan of Montauk Highway Corridor, East Patchogue (2010)" by adding a section entitled "East Patchogue Incentive Overlay District (EPIOD)". The Overlay District is approximately 31.72 acres in size, and consists predominately commercial land uses. The East Patchogue Incentive Overlay District regulations are intended to supplement the uses and rules of the underlying J-6 Business zoning district within the boundaries of the new Overlay District and to allow new uses (principally attached residential) identified in the "Revitalization Plan" to be permitted.

The staff report recommended Approval of the East Patchogue Incentive Overlay District (EPIOD) subject to two (2) conditions, and offering ten (10) comments for their consideration and use by the Town of Brookhaven. After deliberation the Commission resolved to generally agree with the staff report and approve the Code and Zoning amendment request creating the Overlay District with twelve (12) comments for the consideration and use by the Town of Brookhaven.

The motion to approve the code amendment and creation of the East Patchogue Incentive Overlay District with the twelve (12) comments for their consideration and use by the Town of Brookhaven was made by Commission member Kelly and seconded by Commission member Finn, vote to Approve; 8 ayes, 1 nays (Kaufman), 0 abstentions.

- **Meeting Adjournment** (4:15 p.m.)

The motion to adjourn the meeting was made by Commission member Kelly, seconded by Chairwoman Casey; and approved unanimously.